

## **REMARKS**

Applicant wishes to thank the Examiner for the attention accorded to the instant application.

Claims 1-28 are pending in the application. Applicant has amended claims 1, 8, 21 and 26

### **I. Claim Rejections – 35 U.S.C. §101**

The Examiner has rejected claims 1-28 under 35 U.S.C. §101 as being unpatentable as being directed to nonstatutory subject matter as defined in *In re Warmerdam*, 33 F.3d 1354 (Fed. Cir. 1994). The Examiner asserts that the claims are directed to simply a mathematical/algorithmic construct to manipulate tables with rules and is an abstract idea.

Applicant has amended claims 1, 8, 21 and 26 to more particularly point out and distinctly claim the subject matter regarded as the invention. In particular, independent claims 1 and 8 have been amended to recite a syntax coverage percentage measuring system for testing development of a language processing system. Claims 21 and 26 have additionally been amended to recite a method for measuring a syntax coverage percentage for testing development of a language processing system.

Applicant submits that the system and method of the present invention applies BNF data to produce a useful, tangible and concrete result, namely by giving the operators of a test system some confidence in the testing of a language processing system. That is, test operators are equipped with an approximation of the test coverage (of the syntax rules) for the test data in question for a particular programming language. The present invention automates the test coverage data so that new test coverage data does not need to be generated for every new

language being tested. Such useful, concrete, tangible result which does not pre-empt other uses of the mathematical principle are clearly within the scope of patentable subject matter under §101. Ex parte Bowman, 172 F.3d 1352, 1354 (Fed. Cir. 1999). Applicant respectfully requests withdrawal of the rejection.

## **II. Claim Rejections – 35 U.S.C. §102(b)**

The Examiner has rejected claims 1-28 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,586,330 to Knudsen et al. (“Knudsen”). The Examiner asserts that Knudsen discloses all of the limitations of claims 1-28.

Applicant respectfully traverses. The present invention, as recited in independent claims 1, 8, 21 and 26, is directed to a syntax coverage percentage measuring system including a BNF rule check table which has BNF data respectively corresponding to BNF syntax rules, a first file reading section which reads each of test input files and carries out lexical analysis to data of each of the read test input files to classify into tokens, a first syntax analyzing section which carries out syntax analysis to each of the tokens, and marks one of said BNF data of the BNF rule check table corresponding to said token, a coverage percentage output section which acquires a total number of the BNF data and a number of the marked BNF data from the BNF rule check table, and calculates a coverage percentage based on the total number of the BNF data and the number of the marked BNF data and an output section which outputs said coverage percentage calculated by said coverage percentage output section. The present invention provides a system and method for providing an automatically generated syntax coverage percentage so that test operators can quantitatively measure the test coverage percentage of test data. Importantly, this requires a marking the BNF data in the BNF rule check table when syntax

analysis is carried out so that BNF data is clearly marked as a syntax error or syntactically correct. See Specification page 35.

Such marking of the BNF rule check table or BNF data is absent in Knudsen. Knudsen is directed to a method of translating from source code to object code performed on a virtual machine. Knudsen discloses a modifiable data area in the rules table, however, the modifiable data area is not used for tracking lexical errors in the translation from source code to object code. There is no disclosure or suggestion in Knudsen to teaching or suggestion for marking the BNF data in the BNF rule check table when syntax analysis is carried out so that BNF data is clearly marked as a syntax error or syntactically correct. In fact, Knudsen teaches that the modifiable data area in the rules table is discarded at the end of the translation. See column 55, lines 7-19.

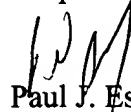
For at least the above discussed reasons, Applicant's recited claims are not anticipated by Knudsen. Since the cited reference does not disclose each and every limitation recited in the amended claims, Applicant submits that independent claims 1, 8, 21 and 26 are allowable over the cited reference. Early notice to that effect is earnestly solicited. Claims 2-7, 9-20, 22-25 and 27-28, by their dependency on independent claims 1, 8, 21 and 26 respectively, are similarly allowable.

## **V. Conclusion**

For the foregoing reasons, Applicant respectfully submits that all pending claims

1-28 are now in condition for allowance. Early notice to that effect is earnestly solicited.

Respectfully submitted,



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